Remarks

This Response is filed in reply to the Office action dated March 20, 2008. By this Response, Applicant has amended claims 25, 34, and 52, and added new claim 53. Claims 1-24, 31-33, 40, and 47-51 remain cancelled and claims 25-30, 34-39, 41-46, and 52 remain pending. No new matter was added by this Amendment. Reconsideration in view of the amendments and remarks contained herein are respectfully requested.

I. Interview Summary

On June 3, 2008, Applicant's representative and Examiner Rutledge conducted an interview regarding the present application. During the interview, proposed amendments to claims 25, 34, and 52 were discussed. The Examiner indicated that if the proposed amendments were submitted, they may overcame the rejections, but a new search would be performed. Additionally, the Examiner indicated that new 35 U.S.C. § 101 guidelines had been distributed and that, while the previously filed claims satisfied the old § 101 guidelines, the Examiner would need to re-evaluate the claims to ensure compliance. While Applicant believes the previous claims comply with §101, in the interest of furthering prosecution, Applicant agreed to make amendments to the independent claims to ensure conformity with § 101. Finally, the Examiner's interpretation of the Mohr reference with respect to the "instance element" and the "instances element" of claim 25 was discussed, but no agreement was reached.

II. Claim Rejections – 35 U.S.C. § 103

Claims 25-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,826,727 issued to Mohr et al. (hereinafter referred to as "Mohr"), in view of U.S. Pre-Grant Publication 2003/0014442 (hereinafter referred to as "Shigi"). However, neither Mohr nor Shigi teaches or suggests "a template root element, wherein the template root element comprises: a template information element; a data table element …; and an instances element containing at least one instance element," as recited in amended claim 25. Furthermore, Mohr and Shigi do not teach or suggest "a data table element configured to … determine the number of instances of a document template to be replicated" or "wherein at least one continuation element is configured to process overflows by placing data on more than one page."

Mohr discloses a "computerized system [that] lays out document templates represented as a tree of text and shape elements, including variable elements." Mohr, abstract. Each shape element has a maximize or minimize property in one or more dimensions, and when content is

mapped into a shape element, the layout makes shape elements with minimize properties as small as possible and makes shape elements with maximize properties as large as possible. Mohr, abstract. Accordingly, Mohr teaches automatically sizing content (e.g., text or images) to a particular size (e.g., a fixed size, a maximum size, or a minimum size).

Mohr fails to teach or suggest "a template root element, wherein the template root element comprises: a template information element; a data table element …; and an instances element." It appears the Examiner contends that a template file 130 (or a portion thereof) is the claimed "template root element." However, as amended, claim 25 specifies a relationship between the template root element and the template information element, data table element, and instances element; that is, the template root element **comprises** the other elements. In contrast, Mohr fails to disclose that the template file 130 comprises a data table element or an instances element. Figure 2 of Mohr demonstrates that the profile data base 148 (alleged data table element) and template file 130 do not satisfy the claimed relationship.

Moreover, claim 25 calls for "[a] template root element compris[ing] … an instances element containing at least one instance element." That is, an instances element is a sub-element of a template root element and an instance element is a sub-element of an instances element. This relationship is depicted in figure 18 and described in at least paragraphs 83, 86, and 87 of the specification. However, Mohr fails to teach or suggest each of a template root element, an instances element, and an instance element, and the particular sub-element relationships therebetween. It appears the Examiner considers two elements of Mohr, the content mapping rules and template file, to be equivalent to the claimed instance element and template root element, and considers the same template files (130A or 130B) to be equivalent to the instances element. *See* 3/20/08 Office action, p.7 and 9 (citing col. 11, lines 10-43 and col. 13, lines 39-67 of Mohr as disclosing the claimed template root element and col. 38, line 47-col. 39, line 60 of Mohr as disclosing the claimed instance element and instances element). Thus, Mohr fails to teach at least one of the following: a template root element, an instances element, and an instance element.

In addition, Mohr and Shigi fail to teach or suggest "a data table element configured to … determine the number of instance of a document template **to be replicated**." As noted in the Specification of the present application,

> [t]he data table element 306 includes, in some embodiments, all the data values to be used in a specific instance of a template 302... .
>
> The instances element 308 includes a single instance element 340 at authoring time. The abstract instance is replicated into a plurality of instances at transaction time. In embodiments of the invention, information in the data table may determine the number of instances of a document.

Para. 86 of the Specification. As admitted by the Examiner, Mohr does not disclose "a data table element configured to ... determine the number of instances of a document template." 3/20/08 Office action, p.8. It follows that Mohr does not disclose determining the number of instances of a document template *to be replicated.*

Similarly, Shigi fails to teach or suggest "a template root element, wherein the template root element comprises: a template information element; a data table element ...; and an instances element," and wherein the "data table element [is] configured to ... determine the number of instances of a document template to be replicated." Shigi discloses a "system and method for developing an application for serving a document to a client in a client/server network [that] employs an Object Model which defines templates, extensions, documents, and content objects in a template inheritance model." Shigi, abstract. The Object Model serves a document by combining the structure and content inherited from a template and extensions in the template hierarchy. Id.

The Examiner stated that "[Shigi] disclose[s] determining the number of instances of a document template, because Shigi teaches the use of an object model, where a single table in the database holds all file records in the file system, and where each file has a unique file lD, including the templates." 3/20/08 Office action, p.8. That is, the Examiner points to Shigi to show a database that keeps track of the number of instances of a document template **that already exist**. However, as amended, claim 25 calls for a data table element that is configured to determine the number of instances of a document template **to be replicated**, not merely to keep track of or determine how many document templates exist.

Additionally, claim 25 has been amended to further define and distinguish a template information element. Claim 25 now reads "a template information element containing descriptive information about the template root element, wherein the descriptive information includes at least one of a title, free-form text, and a document type element to support a type

element from another schema or document type definition." Support for this amendment can be found in the Specification at paragraph 83.

Finally, claim 25 has been amended to call for a

> the instance element including an instance data table element and at least one continuations element;
>
> wherein the continuations element is configured to define continuation handling for data included in the data table element, the instance data table element, or both, and configured to include one or more continuation elements and one or more overflow default elements; and
>
> wherein at least one continuation element is configured to process overflows **by placing data on more than one page.**

In contrast to the claim, Mohr does not teach or suggest at least one continuations element, "wherein the continuations element is ... configured to include one or more continuation elements and one or more overflow default elements; and wherein the continuation elements are configured to process overflows by placing data on more than one page."

As explained above, Mohr discloses a "computerized system [that] lays out document templates represented as a tree of text and shape elements, including variable elements." Mohr, abstract. Mohr discloses that each shape element can have a

> flex-height-behavior attribute [that] can be set to one of five values: 'none' 256, 'maximize' 258, 'minimize' 260, 'proportional' 262, and 'source size' 263. ... If the flex-height behavior [attribute] is 'none' that means the shape has a fixed height ... . If the user selects the 'maximize' flex-height behavior, the layout process will try to 'maximize' the height of the shape, that is, to have it take up all available space during the layout process, up to the height defined by the Flex Height Maximum attribute 244 shown in FIG. 10. If the user selects the 'minimize' value for the flex-height behavior, the shape's height will attempt to be as small as possible as allowed by either the size of the shape's contents plus the shape's internal top and bottom margin attribute values 220 and 230 shown in FIG. 9, or the value of its Flex Height Minimum attribute 243 shown in FIG. 10, whichever is larger."

Mohr, col. 18, lines 26-56.

Accordingly, Mohr teaches automatically sizing content (e.g., text or images) to a particular size (e.g., a fixed size, a maximum size, or a minimum size). Mohr does not teach or suggest a continuation elements "configured to process overflows by placing data on more than one page." In fact, Mohr teaches away from handling continuations for overflows of data or

content by placing data on more than one page, since the content or data is always sized to fit within the mapped shape element.

As noted in the present application,

> [c]ontinuations elements tell a processor how to handle overflows. An overflow condition can be created when the data value to be assigned to a field target cannot be drawn in the available space according to the attributes governing that space. Overflow handling is defined as part of the contents of an instance element 340. An instance element 340 can have any number of pages, but the overflow handling is independent of those pages. **When data for a text target requires more space than is available, a continuation event occurs**. Continuation handling falls into three categories. The first of these is a no continuation handling condition, where fields are handled on their original page. Under a no conditional handling condition[,] attributes may specify font reduction that may be applied. The second type of continuation handling is structured handling, where handling of rich data structures such as tables or parties in a tabular format is required **on the continuation page**. A third type of continuation handling is unstructured handling, where simple data items such as a property description are handled. In an unstructured handling condition several such fields may be **continued to the same continuation page** and arranged in order along with a caption for each value, a potential forwarding message, and other attributes.

Para. 88 of the Specification.

Consequently, continuation elements provide instructions on how to handle data or content that does not fit within its specified structure or data target, including placing data on more than one page (the original page *and* the continuation page). Since Mohr discloses always fitting content within its specified structure, Mohr does not teach or suggest a continuation elements "configured to process overflows by placing data on more than one page" as recited in amended claim 34.

Thus, for at least the foregoing reasons, claim 25 is allowable. Claims 26-30, which depend from independent claim 25, are also allowable for at least these reasons.

III. Claim Rejections – 35 U.S.C. § 102

Claims 34-46 and 52 stand rejected as being anticipated by Mohr. With respect to amended claims 34 and 52, as explained above regarding similar limitations in claim 25, Mohr does not teach or suggest "a data table element configured to … determine the number of instances of a document template to be replicated"; "a template root element *comprising* a

template information element...[,] a data table element...[,] and an instances element";" an instances element *containing* at least one instance element"; or at least one continuations element, "wherein the continuations element is ... configured to include one or more continuation elements and one or more overflow default elements; and wherein the continuation elements are configured to process overflows by placing data on more than one page."

Accordingly, for at least the reasons set out above, independent claims 34 and 52 are allowable, and dependent claims 35-46, which depend from claim 34, are also allowable.

IV. Conclusion

For the reasons set forth above with respect to claims 25, 34, and 52, newly added claim 53, which includes some similar limitations to those in claims 25, 34, and 52, is also allowable.

In light of the above, Applicant believes that the application is in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. Applicant also requests that the Examiner telephone the attorneys of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Please charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of fees.

Respectfully submitted,

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